



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/816,401  
Applicant : Uttam K. Sengupta, et al.  
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Commissioner For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Confirmation No. 9605

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

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Signature

Date

**DECLARATION OF NIKHIL M. DESHPANDE**  
**PURSUANT TO 37 C.F.R. §1.131**

Sir:

I, Nikhil M. Deshpande, hereby declare that:

1. Uttam K. Sengupta, Robert Knauerhase and I are the co-inventors of the above-referenced U.S. Patent application and the co-inventors of the subject matter described and claimed therein.

2. Intel Corporation, of Santa Clara, California, is the Assignee of the patent application described above.

3. I have been employed by Intel Corporation from prior to September 10, 2003.

4. At least prior to September 10, 2003, we conceived in this country (U.S.A.) the invention claimed in the above-described application.

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Application No.: 10/334,966

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5. As evidence of conception, attached hereto is Exhibit A, which includes an Intel Invention Disclosure form (numbered 34204) entitled "A System for Alerting Customers of Service Availability via their Cellular Phone/PDA." These pages are representative of our inventive work and were created at least as early as September 10, 2003.

6. Exhibit A describes a technique and architecture in which a cellular telephone, personal digital assistant (PDA), or other customer-provided wireless device may be used to track availability and status of services from a customer service establishment such as a restaurant. This is particularly illustrated by the figures on the third and fourth pages of Exhibit A.

7. The figure on the third page of Exhibit A illustrates a restaurant having a scheduling/seating system and/or client software for customer tracking and alerting, an end user with a location-enabled handset and/or client software for customer tracking and alerting, and a service provider that includes location tracking functionality and/or a customer tracking and alerting system.

8. The figure on the fourth page of Exhibit A is a flow diagram of an interaction of a user with a wireless device and a restaurant with a scheduling and seating system. The flow diagram includes customer tracking and alerting functionality as well as service scheduling and seating functionality.

9. From at least prior to October 9, 2003, the filing date of the *Lovegreen* reference, to constructive reduction to practice (application filing on March 31, 2004), due diligence was taken in reducing the invention to practice.

10. Diligence taken by my co-inventors and I includes submission of the document in Exhibit A to the Intel Legal department for review, evaluation and selection for filing a U.S. Patent application, as well as work with attorney Paul A. Mendonsa to prepare the above-referenced U.S. Patent application for filing.

11. As evidence of diligence, attached hereto is Exhibit B, which is a printout of an electronic file record indicating that the file corresponding to the above-referenced U.S. Patent application was opened on February 14, 2004. Between February 14, 2004 and the filing date of March 31, 2004, my co-inventors worked with Paul A. Mendonsa to prepare the above-referenced U.S. Patent application for filing.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the above-described application or an patent issued therefrom.

Respectfully submitted,

Date November 2, 2006



Nikhil M. Deshpande